

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Vere Joseph

Write the full name of each plaintiff.

-against-

NYC Department of Probation

33 Beaver Street, Rm 2124

New York, NY 10004

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

CV

(Include case number if one has been assigned)

Do you want a jury trial?

Yes     No

**EMPLOYMENT DISCRIMINATION COMPLAINT**

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Vere	Joseph	
First Name	Middle Initial	Last Name
1133 Boston Road, Apt A4		
Street Address		
Bronx	NY	10456
County, City	State	Zip Code
917-841-9852	jvere64@yahoo.com	
Telephone Number	Email Address (if available)	

### B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1:	NYC Department of Probation	
Name		
33 Beaver Street, Rm 2124		
Address where defendant may be served		
New York	NY	10004
County, City	State	Zip Code
Defendant 2:		
Name		
Address where defendant may be served		
County, City	State	Zip Code

Defendant 3:

Name \_\_\_\_\_

Address where defendant may be served \_\_\_\_\_

County, City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

## II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:  
NYC Department of Probation

Name \_\_\_\_\_

210 Joralemon Street, 10th Floor

Address \_\_\_\_\_

Brooklyn

NY

11201

County, City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

## III. CAUSE OF ACTION

### A. Federal Claims

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

- race: \_\_\_\_\_
- color: \_\_\_\_\_
- religion: \_\_\_\_\_
- sex: testified for a coworker who was harassed
- national origin: \_\_\_\_\_

- 42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: \_\_\_\_\_

- Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: \_\_\_\_\_

- Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: \_\_\_\_\_

- Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: \_\_\_\_\_

- Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

## B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- Other (may include other relevant federal, state, city, or county law): \_\_\_\_\_

#### IV. STATEMENT OF CLAIM

##### A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- did not hire me
- terminated my employment
- did not promote me
- did not accommodate my disability
- provided me with terms and conditions of employment different from those of similar employees
- retaliated against me
- harassed me or created a hostile work environment
- other (specify): I resigned from the department and then they turned it into a termination and tried to use a day I was off from work.

##### B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

Please see attachment

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As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

## Facts

Kory Blackwell was an ex NFL player who has friends and family in Human Resources. Throughout each staff office there's pictures on the walls or desk of this individual. Prior to the sexual harassment complaint against Kory Blackwell, Officer Jimenez had been going through conflict with Kory Blackwell and had requested to be transferred to the morning shift and was denied however after filing a sexual harassment complaint against Kory Blackwell, Officer Jimenez was than granted her request to the am shift with hope of keeping her satisfied and quiet.

August 2019, I testified as a witness in the sexual harassment case made by a coworker (Officer Jimenez) of mine against the supervisor (Kory Blackwell). The following month, September 2019 an internal EEO investigation began against the supervisor (Kory Blackwell). Five witnesses came forth including myself: Andy Gayle, Lee Ann Freeman, Jason Mulero, Tracy Pride, Shekinah Ashe and Christina Serrano (who left the agency). During that time frame the supervisor made threatening statements to a coworker of mine (Andy Gayle) stating that when he find out who is talking against him their job is gone. My cases was being audited more frequently than my other coworkers.

In October 2019, the supervisor made a threat with a firearm against me. Upon making gun threats I reported it to Human Resources and no investigation occurred. I eventually made a police report at the 42 pct. Then at 1 Police Plaza in which I was told that someone will be contacting Probation, however there was no such occurrences. I also called the Department of Corruption and made a complaint and no investigation was done. Which leaves me to believe someone in upper management has been altering my complaints from in house to protect the supervisor, Kory Blackwell. Following this I was switched to the other supervisor in the Intel Unity- Supervisor John Catalano. I didn't have any issues with Supervisor Catalano, nor did he have any complaints about me.

December 2019, I decided to resign from the agency due to safety concerns and a hostile work environment. On December 5<sup>th</sup>, 2019, I was off from work because I had a doctor's appointment. Upon coming into the office on December 6<sup>th</sup>, 2019 I checked my email and I received an email on December 5<sup>th</sup>, 2019 from Ms. Suzette Mapp telling me to report to HR on Monday, December 9<sup>th</sup>, 2019 at 9:30am. On December 6<sup>th</sup>, 2019, I submitted my resignation packet. Soon after I got an email to report to HR before 3pm. I went to return my equipment with the armor's unit and Supervisor Naissant signed off on my paper work stating that I resigned. Ms. Suzette Mapp came in and scratched off resignation on my paperwork and put terminated. The same time Ms. Vera Thompson (Trainer/Union Delegate) was in the room and witnessed Ms. Mapp behavior. I asked her how I could be terminated, if I resigned. She replied that since 12-5-19 I was terminated. How so, if I wasn't at work on 12-5-19 can you terminate an employee. Which she didn't even know I had the day off until she had another employee in HR check. So, I took the letter she typed of saying I was terminated on 12-5-19 and left the premises. It should be noted Ms. Suzette Mapp was in the newspaper for abuse of power prior years before. I submitted a copy of the article as well.

## V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

- Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? 12/3/19 & 12/23/19

- No

Have you received a Notice of Right to Sue from the EEOC?

- Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? 4/28/2021

When did you receive the Notice? 4/28/2021

- No

## VI. RELIEF

The relief I want the court to order is (check only those that apply):

- direct the defendant to hire me  
 direct the defendant to re-employ me  
 direct the defendant to promote me  
 direct the defendant to reasonably accommodate my religion  
 direct the defendant to reasonably accommodate my disability  
 direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)

Lost of wages, emotional distress damages, and defamation of character

(\$150,000).

I want to be re-hired and able to resign correctly as well as provided with a letter of recommendation.

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION		Charge Presented To: Agency(ies) Charge No(s):	
<p>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	<span style="background-color: yellow;">520-2020-01556</span>
and EEOC			
<i>State or local Agency, if any</i>			
Name (Indicate Mr., Ms., Mrs.) <b>Mr. Vere Joseph</b>		Home Phone (Incl. Area Code) <b>(917) 841-9852</b>	Date of Birth <b>1978</b>
Street Address <b>1133 Boston Road, Apt. A4, Bronx, NY 10456</b>		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>NYC DEPARTMENT OF PROBATION</b>		No. Employees, Members <b>201 - 500</b>	Phone No. (Include Area Code) <b>(718) 510-3840</b>
Street Address <b>33 Beaver Street, 23rd Floor, New York, NY 10004</b>		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Include Area Code) <b>DEC 23 2019</b>
Street Address		City, State and ZIP Code	
<b>DATE RECEIVED</b>			
DISCRIMINATION BASED ON (Check appropriate box(es).)		DATE(S) DISCRIMINATION TOOK PLACE Earliest      Latest <b>10-21-2018      12/6/2019</b>	
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		<input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I have been employed with Respondent as an Intel Probation Officer since September of 2018. On December 6, 2019, I resigned from my position via an email. Shortly after I sent an email asking for me to report to Human Resources by the Suzette E. Mapp, Assistant Commissioner. While at Human Resources, I was informed that I was terminated effective December 5, 2019, and rejected my resignation. I could not have been terminated on December 5, 2019, because I was off that day.</p> <p>Based on the above, I believe my rights have been violated under Title VII of the Civil Rights Act of 1964, as amended.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT 	
<u>Dec 23, 2019</u> Date	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)		
<u>Charging Party Signature</u>			

CP Enclosure with EEOC Form 5 (11/09)

**PRIVACY ACT STATEMENT:** Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

#### **NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW**

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

#### **NOTICE OF NON-RETALIATION REQUIREMENTS**

Please notify EEOC or the state or local agency where you filed your charge if retaliation is taken against you or others who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an employer to discriminate against present or former employees or job applicants, for an employment agency to discriminate against anyone, or for a union to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

## U.S. EQUAL OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: Vere Joseph  
1133 Boston Road, Apt. A4  
Bronx, NY 10456

From: New York District Office  
33 Whitehall Street  
5th Floor  
New York, NY 10004



*On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.

EEOC Representative

Telephone No.

520-2020-01556

**Debra L. Richards,**  
**Investigator**

(929) 506-5307

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state)

**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

Debra L. Richards

Digitally signed by Debra L. Richards  
Date: 2021.04.28 10:39:00 -04'00'

For

04/28/2021

Enclosures(s)

Judy A. Keenan,  
District Director

(Date Issued)

cc:

David H. Yin  
Assistant General Counsel  
NYC DEPARTMENT OF PROBATION  
33 Beaver Street  
Rm 2124  
New York, NY 10004

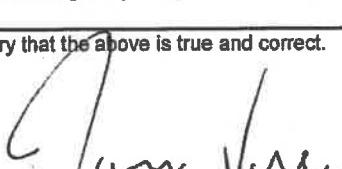
Enclosures(s)

cc:



EEOC Form 5 (11/09)

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This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	520-2020-01204
<b>New York State Division Of Human Rights</b>			
State or local Agency, if any			
<p><b>Based on the above, I believe my rights have been violated under Title VII of the Civil Rights Act of 1964, as amended.</b></p>			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT
Dec 03, 2019 Date	 Charging Party Signature	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

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5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

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## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: Vere Joseph  
1133 Boston Road, Apt. A4  
Bronx, NY 10456

From: New York District Office  
33 Whitehall Street  
5th Floor  
New York, NY 10004



*On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.	EEOC Representative	Telephone No.
520-2020-01204	Debra L. Richards, Investigator	(929) 506-5307

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (*briefly state*)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

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On behalf of the Commission

Debra L. Richards

Digitally signed by Debra L. Richards  
Date: 2021.04.28 09:28:28 -04'00'

For

04/28/2021

Enclosures(s)

Judy A. Keenan,  
District Director

(Date Issued)

cc:

Zenia Melendez  
Director of Human Resources  
NYC DEPARTMENT OF PROBATION  
33 Beaver Street  
23rd Floor  
New York, NY 10004

Enclosures(s)

cc:

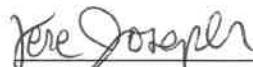
## VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

6/15/2021



Plaintiff's Signature

Dated

Vere

Joseph

First Name

Middle Initial

Last Name

1133 Boston Road, Apt A4

Street Address

Bronx

New York

10456

County, City

State

Zip Code

917-841-9852

jvere64@yahoo.com

Telephone Number

Email Address (if available)

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

Yes  No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.